

Lincke '326 and the claimed invention. Applicant respectfully requests reconsideration of the application and allowance of pending claims 1-37 in light of these comments.

I. REJECTION UNDER 35 U.S.C §102 BASED UPON LINCKE '326

The Examiner rejected Claims 1-37 for anticipation under 35 U.S.C. §102(e) based on Lincke '326. The communication system and method of Lincke '326 discloses a secured communication wireless link from the mobile node to a proxy server.

However, Lincke '326 does not disclose, teach, or suggest a secure connection link between a mobile node and a foreign network, a mobile node and a home network, or a home network and a foreign network. *Lincke '326, col. 83, ln 11 – col. 84, ln 54*. These claimed elements are not discussed, taught, or suggested by Lincke '326.

Lincke '326 discloses a secured link to a proxy server, which is defined as “one or more computers that convert queries from the [mobile node] into queries that are compatible with Internet protocols.” *Lincke '326, col. 10, ln 1-4*. The proxy server communicates with the wireless network to translate message formats from the wireless network into an Internet message format. *Lincke '326, col. 10, ln 5-26*. In other words, the proxy server in Lincke '326 “facilitates communications between web servers, mail servers, and other Internet data sources and the wireless communications device.” *Lincke '326, col. 6, ln 56-59*.

According to the Examiner's analysis, the correspondent node of the invention corresponds to the proxy server. As defined in the invention, a correspondent node is “a node wishing to communicate with the [mobile node].” Essentially, the correspondent node in the invention is another node end point where a user can communicate to the

mobile node user. The correspondent node in the claimed invention is not the proxy server that translates message format, as shown in Linke '326.

The Applicant respectfully suggests that Lincke '326 fails to disclose the claimed correspondent node because the proxy server in Lincke '326 does not perform similar or analogous functions as the claimed correspondent node. With this understanding in mind, Applicant further respectfully suggests that the Examiner's analysis may not be correct as to analogous system components identified in the rejection.

Under 35 U.S.C. §102, the prior art must disclose each and every claim element for an invention to be anticipated by prior art. *Constant v. Advanced Minor-Devices, Inc.*, 848 F. 2d 1560 (Fed. Cir. 1988). All claim limitations of the invention must also be considered in determining patentability. *Hewlett-Packard Co. v. Bausch & Lomb, Inc.*, 909 F. 2d 1464 (Fed. Cir. 1990). Almost is not enough; the prior art must disclose all the elements. *Connell v. Sears, Roebuck & Co.*, 722 F. 2d 1542 (Fed. Cir. 1983). Accordingly, the absence of any claimed element negates anticipation under §102.

With respect to the Examiner's rejection of independent Claims 1, 11, 20 and 29, the Applicant respectfully suggests that Lincke '326 fails to disclose essential claim elements. Independent Claims 1, 11, 20, and 29 explicitly identify security associations and secured communication links that are not disclosed, suggested, or taught by Lincke '326. Because essential claim elements of these independent claims are not disclosed, suggested, or taught by Lincke '326, the § 102(e) rejection is improper.

A. Independent Claims

Independent Claim 1 discloses the following claim elements: 1) establishing at least one security association between the home network and the foreign network, 2)

establishing at least one security association between the mobile node and the foreign network, 3) encrypting information in an information packet to be transmitted from the mobile node to the home network, 4) transmitting the information packet from the mobile node using the security associations to support secure communications from the mobile node, and 5) decoding information from the encrypted information packet at the home network to retrieve the information. Because Lincke '326 fails to teach, disclose, or suggest any of these five claim elements, Lincke '326 cannot support a § 102(e) rejection.

Lincke '326 also cannot support a § 102(e) rejection of Claim 11. Independent Claim 11 discloses the following essential claim elements: 1) establishing at least one security association between the home network and the mobile node, 2) encrypting information in an information packet to be transmitted from the mobile node to the home network, 3) transmitting the information packet from the mobile node using the security associations to support secure communications from the mobile node, and 4) decoding information from the encrypted information at the home network to retrieve the information. Because these limitations are not met, Lincke '326 cannot support a § 102(e) rejection.

Independent Claim 20 discloses the following claim elements: 1) a home network having a home agent coupled to a router capable of directing information packets to and from the home network; 2) a foreign network having a foreign agent coupled to a router capable of directing information packets to and from the foreign network and a transceiver capable of performing wireless communication with at least one mobile node in the transmission range of the transceiver for the foreign network; and 3) a security association established between the home network and the foreign network

and a security association established between the mobile node and the foreign network, both security associations used to support secure communication of information packets from the mobile node to the home network. Because Lincke '326 fails to teach, disclose, or suggest these claimed features, Lincke '326 cannot support a § 102(e) rejection of Claim 20.

Similarly, Lincke '326 also cannot support a § 102(e) rejection of Claim 29. Independent Claim 29 discloses the following essential claim elements: 1) a home network having a home agent coupled to a router capable of directing information packets to and from the home network; 2) a foreign network having a foreign agent coupled to a router capable of directing information packets to and from the foreign network and a transceiver capable of performing wireless communication with at least one mobile node in the transmission range of the transceiver for the foreign network; and 3) a security association established between the home network and the mobile node used to support secure communication of information packets from the mobile node to the home network. Because Lincke '326 fails to teach, disclose, or suggest these claimed features, Lincke '326 cannot support a § 102(e) rejection.

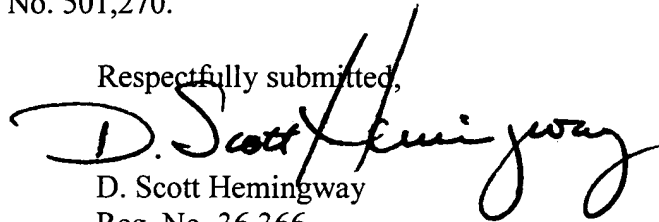
II. CONCLUSION

The Applicant respectfully requests reconsideration of the present application because the Examiner's 35 U.S.C. § 102(e) rejection is believed to have been traversed by the present Response. Independent claims 1, 11, 20, and 29 are believed allowable because the Lincke '326 reference fails to disclose, teach, or suggest each and every claim element. Since the dependent claims add further limitations to the allowable

independent claims, the Applicant believes the dependent claims are likewise allowable. Accordingly, pending claims 1-37 are believed allowable because the claimed invention is not disclosed, taught, or suggested by the cited references.

It is believed that no additional fees are necessary for this filing. If additional fees are required for filing this response, then the appropriate fees should be deducted from D. Scott Hemingway's Deposit Account No. 501,270.

Respectfully submitted,

A handwritten signature in black ink that reads "D. Scott Hemingway". The signature is written in a cursive, flowing style with a large initial "D".

D. Scott Hemingway
Reg. No. 36,366
Attorney for Applicant

Storm & Hemingway, LLP
460 Preston Common West
8117 Preston Road
Dallas, Texas 75225
(214)292-8301 (voice)
(214)739-5209 (fax)